

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DOC # _____

UNITED STATES OF AMERICA *ex rel.*
TZAC, INC.,

Plaintiff,

v.

AMERICAN UNIVERSITY OF BEIRUT,

Defendant.

FILED UNDER SEAL

18 Civ. 11661 (JGK)

THE GOVERNMENT’S NOTICE OF DECISION TO DECLINE INTERVENTION

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the United States of America (the “Government” or the “United States”), by its undersigned attorneys, hereby respectfully notifies the Court of its decision not to intervene in this action.

Although the United States declines to intervene in this action, we respectfully refer the Court to 31 U.S.C. § 3730(b)(1), which allows the relator to maintain its action in the name of the United States, provided, however, that the action “may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting.” *Id.* Therefore, the United States respectfully requests that, should the relator or the defendant propose that this action be dismissed, settled, or otherwise discontinued, the parties must solicit the written consent of the United States before applying for Court approval.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests the following: (i) that all pleadings and briefs filed in this action be served upon the United States; (ii) that orders issued by the Court be served upon the United States, by the relator’s counsel; and (iii) that the United States be served with all notices of appeal. Finally, the United States reserves

its right to order any deposition transcripts, to intervene in this action for good cause at a later date, and to seek the dismissal of the relator's action or claims under 31 U.S.C. § 3730(e)(4).

Dated: December 12, 2022
New York, New York

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York
Attorney for the United States of America

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